

**IN THE CLAIMS:**

1. (Currently Amended) An endoscopic treatment system comprising:
    - a first insertion instrument;
    - a second insertion instrument ~~having a space~~ into which the first insertion instrument is inserted;
    - an observation device included in either the first insertion instrument or the second insertion instrument and used to observe a living-body tissue;
    - a clamping and lifting member that is included in the first insertion instrument and that has a clamping member which clamps the living-body tissue that is an object of treatment, and a lifting member which lifts the living-body tissue through bending;
    - a tissue retainer member that is included in the second insertion instrument and that controls the lifting of a peripheral tissue of the living-body tissue clamped and lifted by the clamping and lifting member included in the first insertion instrument;
    - a ligating member that ligates the living-body tissue; and
    - a resecting member that resects the living-body tissue at a position between a region ligated by the ligating member and a region clamped by the clamping and lifting member;
- ~~wherein the second insertion instrument is configured such that the first insertion instrument can be bent in the space to a side opposite to the living tissue that is the object of treatment~~

wherein the inserting sections of the first and second insertion instruments which are inserted into a living-body duct are formed with flexible members;

the clamping member is a pair of clamp forceps that is inserted in a treatment instrument passage channel lying through the first insertion instrument;  
a lateral hole is formed in the lateral side on the outer periphery of the second insertion instrument; and  
a slit is formed in the lateral side on the outer periphery of the second insertion instrument opposing the lateral hole.

2. (Withdrawn) An endoscopic treatment system comprising:

    a first insertion instrument;

    a second insertion instrument into which the first insertion instrument is inserted;

    a third insertion instrument into which the second insertion instrument is inserted;

    an observation device included in any of the first, second, and third insertion instruments and used to observe a living-body tissue;

    a clamping and lifting member that is included in the first insertion instrument and that has a clamping member which clamps an intended living-body tissue and a lifting member which lifts the living-body tissue through bending;

    a lateral hole that is included in the second insertion instrument and that restricts the position or movement of the living-body tissue that is clamped and lifted by the clamping and lifting member included in the first insertion instrument;

    a ligating member that ligates the tissue;

a resecting member that resects the living-body tissue at a position between a region ligated by the ligating member and a region clamped by the clamping and lifting member; and

a passage channel which is included in the third insertion instrument and through which the first insertion instrument and second insertion instrument are passed.

3. (Withdrawn) An endoscopic treatment system comprising:  
a treatment aid having puncturing needle and ligature passage channels through which respective puncturing needles and ligatures are passed;  
a receiving member located at least at the distal ends of the puncturing needle and ligature passage channels of the treatment aid, and formed with a bar-like or plate-like member at a position at which the receiving member substantially perpendicularly intersects the axes of movement of the puncturing needles and the ligatures or with a certain angle twists with respect to the axes of movement of the puncturing needles and the ligatures; and  
arm members that link the distal end of the treatment aid and the receiving member, wherein:

the treatment aid is detachable from the distal part of an endoscope.

4. (Previously Presented) An endoscopic treatment method comprising the steps of:  
inserting an endoscope into an intended region in a living body's duct;  
inserting a first insertion instrument mounted on the outer surface of the endoscope;  
exchanging the endoscope for a second insertion instrument;

clamping a living-body tissue positioned in a lateral hole formed in an outer periphery of an insertion part of the first insertion instrument;

lifting the clamped living-body tissue so as to draw it into the lateral hole using the second insertion instrument;

ligating the lifted living-body tissue using the ligating member;

resecting the ligated living-body tissue at a position between the ligated region of the living-body and the clamped region thereof; and

removing and collecting the resected living-body tissue together with the second insertion instrument.

5. (Withdrawn) An endoscopic treatment method comprising the steps of:

inserting an endoscope into an intended region in a living body's duct;

inserting a first insertion instrument mounted on the outer surface of the endoscope;

exchanging the endoscope for a third insertion instrument into which a second insertion instrument is inserted;

clamping a living-body tissue positioned in a lateral hole, which is formed in an outer periphery of an insertion section of the third insertion instrument, using the second insertion instrument;

lifting the clamped living-body tissue so as to draw it into the lateral hole using the second insertion instrument;

ligating the lifted living-body tissue using the ligating member;

resecting the ligated living-body tissue at a position between the ligated region of the living-body and the clamped region thereof; and

removing and collecting the resected living-body tissue together with the second insertion instrument and third insertion instrument.

6 and 7. (Canceled)

8. (Currently Amended) The endoscopic treatment system according to Claim [[6]]1, wherein the first insertion instrument is an endoscope having the observation device.

9. (Canceled)

10. (Currently Amended) The endoscopic treatment system according to Claim [[9]]1, wherein the endoscope is of a side-vision or oblique-vision type.

11. (Original) The endoscopic treatment system according to Claim 10, wherein the upper side of an image displayed on a monitor included in the side-vision or oblique-vision endoscope faces the distal side of the insertion unit of the endoscope.

12. (Previously Presented) The endoscopic treatment system according to Claim 8, wherein the endoscope is of a direct-vision type and includes a forceps raising member which swings the distal end of a treatment instrument, which is passed through the treatment instrument passage channel.

13. (Previously Presented) The endoscopic treatment system according to Claim 8, wherein the endoscope is a direct-vision endoscope having two or more bending sections, which can be bent independently by an operator.

14-16. (Canceled)

17. (Previously Presented) The endoscopic treatment system according to Claim 10, wherein the tissue retaining member includes: a receiving member that is located in more distal end of the second insertion instrument than the ligating member is, and that is formed with a substantially bar-like or plate-like member; and arm members that are connected to the receiving member.

18. (Original) The endoscopic treatment system according to Claim 17, wherein the receiving member is movable in a direction substantially parallel to the direction of the axis of movement of the ligating member.

19. (Currently Amended) The endoscopic treatment system according to Claim [[15]]1, wherein the ligating member is a stapler comprising: a plurality of elastic staples located on the operator side of the tissue retaining member; a thrusting member for thrusting the elastic staples; an operating member coupled to the operator-side end of the thrusting member and extended from the distal end of the therapeutic instruments insertion aid to the operator-side end thereof; and a receiving member which is formed on the distal side of the lateral hole, on which the thrust elastic staples are abutted, and which bends the feet of the elastic staples.

20. (Canceled)

21. (Currently Amended) The endoscopic treatment system according to Claim [[15]]1, wherein the ligating member includes a substantially strap-like coupling member and securing members which are formed at both ends of the coupling member and whose diameter is larger than that of the coupling member, and the securing member is held in the lumen of a puncturing needle.

22. (Previously Presented) The endoscopic treatment system according to Claim 21, wherein the puncturing member is a puncturing needle, and the tip of the puncturing needle moves from the operator-side end of the second insertion instrument to the distal end thereof.

23. (Original) The endoscopic treatment system according to Claim 22, wherein two or more puncturing needles are included as the puncturing needle.

24. (Previously Presented) The endoscopic treatment system according to Claim 19, wherein the resecting member is a cutter.

25. (Original) The endoscopic treatment system according to Claim 19, wherein the resecting member is a snare extending from the operator-side end of the second insertion instrument to the distal end thereof and having a loop-like metallic wire at the distal end thereof.

26. (Original) The endoscopic treatment system according to Claim 25, wherein a snare locking member that locks the loop of the snare such that the loop can be freely unlocked is formed around the lateral hole in the distal part of the second insertion instrument.

27. (Previously Presented) The endoscopic treatment system according to Claim 25, wherein a substantially plate-like floating suppressing member for suppressing movements of the loop of the snare is included in the distal part of the second insertion instrument.

28. (Original) The endoscopic treatment system according to Claim 24, wherein, the resecting member is interposed at least between a lesion to be resected and the ligating member, and the resecting member is located at a position where a living-body tissue, which is 1 mm or more wide, lies between a resecting plane on which the resecting member moves and a lesion and a region to be sutured.

29. (Original) The endoscopic treatment system according to Claim 28, wherein the ligating member and resecting member are formed over the full circumference around the internal surface of the second insertion instrument.

30. (Canceled)

31. (Withdrawn) The endoscopic treatment system according to Claim 2, wherein a hardness variation mechanism is included for the inserting section of the third insertion instrument.

32. (Withdrawn) The endoscopic treatment system according to Claim 2, wherein the third insertion instrument has an insertion unit locking member for preventing the third insertion instrument from moving from the vicinity of an intended lesion.

33. (Withdrawn) The endoscopic treatment system according to Claim 32, wherein the insertion unit locking member includes at least one lateral hole formed in the outer surface of the inserting section of the third insertion instrument, a suction channel that links the lateral hole and the operator-side end of the third insertion instrument, and an aspirator coupled to the suction channel.

34. (Withdrawn) The endoscopic treatment system according to Claim 32, wherein the insertion unit locking member is a balloon included in the distal part of the third insertion instrument.

35. (Original) The endoscopic treatment system according to Claim 1, further comprising a securing member that is freely attachable or detachable and fixed to at least either of the first insertion instrument and the second insertion instrument so as to lock each other.

36. (Withdrawn) The endoscopic treatment system according to Claim 2, wherein the inserting section of the third insertion instrument has a slit extending from the distal end of the third insertion instrument to the operator-side end thereof.

37. (Currently Amended) [[The]] An endoscopic treatment system according to Claim 1, comprising:

a first insertion instrument;

a second insertion instrument into which the first insertion instrument is inserted;

an observation device included in either the first insertion instrument or the second insertion instrument and used to observe a living-body tissue;

a clamping and lifting member that is included in the first insertion instrument and that has a clamping member which clamps the living-body tissue that is an object of treatment, and a lifting member which lifts the living-body tissue through bending;

a tissue retainer member that is included in the second insertion instrument and  
that controls the lifting of a peripheral tissue of the living-body tissue clamped and lifted by  
the clamping and lifting member included in the first insertion instrument;

a ligating member that ligates the living-body tissue; and  
a resecting member that resects the living-body tissue at a position between a  
region ligated by the ligating member and a region clamped by the clamping and lifting  
member;

wherein the second insertion instrument includes a bending mechanism.

38. (Canceled)

39. (Previously Presented) [[The]] An endoscopic treatment system according  
to Claim 1, wherein comprising:

a first insertion instrument;  
a second insertion instrument into which the first insertion instrument is  
inserted;  
an observation device included in either the first insertion instrument or the  
second insertion instrument and used to observe a living-body tissue;  
a clamping and lifting member that is included in the first insertion instrument  
and that has a clamping member which clamps the living-body tissue that is an object of  
treatment, and a lifting member which lifts the living-body tissue through bending;  
a tissue retainer member that is included in the second insertion instrument and  
that controls the lifting of a peripheral tissue of the living-body tissue clamped and lifted by  
the clamping and lifting member included in the first insertion instrument;  
a ligating member that ligates the living-body tissue; and

a resecting member that resects the living-body tissue at a position between a region ligated by the ligating member and a region clamped by the clamping and lifting member;

wherein the second insertion instrument has puncturing needle and ligature passage channels through which respective puncturing needles and ligatures are passed;

a receiving member located in more distant end of the second insertion instrument than the puncturing needle and ligature passage channels are, and formed with a bar-like or plate-like member; and

arm members that link the distal end of the second insertion instrument and the receiving member.

40. (Previously Presented) The endoscopic treatment system according to Claim 39, wherein the tissue retainer member is detachable from the second insertion instrument.

41. (Previously Presented) A treatment device, comprising:

an insertion portion having a lumen into which an insertion instrument including a clamping member is inserted;

a tissue retainer member which is provided in the insertion portion and which controls the lifting of a peripheral tissue of the tissue clamped and lifted by the insertion instrument;

a slit provided in an area opposite to the tissue retainer member with the center of the lumen therebetween, the slit permitting the distal end of the insertion instrument to be bent away from the center of the lumen in order to lift the tissue;

a ligating member which ligates the tissue; and

a resecting member which resects the tissue at a position between a region ligated by the ligating member and a region clamped by the insertion instrument.

42. (New) The endoscopic treatment system according to claim 37, wherein the second insertion instrument is an endoscope.

43. (New) The endoscopic treatment system according to claim 42, wherein the endoscope is of a side-vision or oblique-vision type.

44. (New) The endoscopic treatment system according to claim 42, wherein the endoscope is of a direct-vision type.